

**DAVID J. ROSTETTER**

**CURRICULUM VITAE**

**Personal Information**

Married  
Five children  
Legally blind since age twelve

**Education**

Ed. D. State University of New York at Albany  
Education Administration

M. S. State University of New York at Albany  
Education Administration

B. S. SUNY College at Fredonia  
Political Science

**Teaching and Scholarship**

Associate Professor  
School of Education  
St. John Fisher College  
Rochester, N. Y., 14618  
Phone: (595) 385-5246  
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**Responsibilities:** Teach graduate courses in special education and diversity as well as supporting professional development, support to state-wide innovation efforts, and development of policy studies capacity at the School of Education.

**Courses Taught:**

Cultural Foundations of American Education – Survey of the cultural, social, and economic factors that influence American education.

Special Education in Today's Schools - An introduction to teaching students with disabilities. This course includes a broad overview of the etiologies, characteristics, educational implications, and interventions for teaching this diverse population. The importance of linking educational outcomes for students with disabilities to the New York State Learning Standards is introduced.

Social Justice and Multicultural Issues in Education - This course explores many aspects of diversity including gender, sexual orientation, religion, race, ethnicity and culture. The interaction of these characteristics is also examined.

Best Practices and Public Policy – This courses is and advanced professional level course that examines the origins and evolution of public policy and its effect on practices in schools.

Candidates examine case law, the civil rights and entitlement frameworks, and state and local practices. A model for policy analysis of used to dissect and understand real time case studies involving children and youth with disabilities.

Critical Issues in Literacy and Special Education – This course reviews current research and issues that effect student reading and reading and literacy problems for all students. Candidates review and analyze specific problem areas such as cultural and racial bias and how socioeconomic status effect literacy and school performance. In addition to group projects, candidates develop comprehensive literature reviews in selected issues arrears.

Master's Degree Thesis – Supervision and guidance for candidates as they research and develop a graduate level thesis in selected subject areas.

Seminar for School Leaders – An advanced seminar for school leaders addressing current policy and practice in special education.

**Publications Include:**

Rostetter, D., Structure and Practice: Implications for Educational Leaders Virginia Commonwealth Law Institute, Virginia Commonwealth University, Richmond, Va. 2006.

Three Chapters in a book edited by Dr. Ronald Leaf of UCLA and Autism Partnerships to be published in May, 2006.

Rostetter, D., Flexibility and Accountability: Outcome Equity in Education, edited by Robert Borne and Lawrence Picus, Corwin Press, Thousand Oaks, California, 1994.

Leading and Managing for the Future. Concept Paper prepared for the National Association of State Directors of Special Education. Revised and disseminated as NASDSE position paper. 1996

Rostetter, D., "Policy and Practice in Special Education: A Case Study of Problems." Prepared for the Commissioner of Education of the State of New York for presentation to the Board of Regents as part of efforts to develop school equity policy. 1993

Norman, M. and Rostetter, D., et al., Educational Reform and Special Education, Special Edition, LRP Publications, Philadelphia, Pa. 1991.

Section 504; Old Problems and Emerging Issues, published by the National Association of State Directors of Special Education.

What is This Thing Called Monitoring with Kenneth Olson, published and disseminated by the Mid South Regional Resource Center, University of Kentucky.

Risk Factors Beyond the Child and Family. A chapter in "Finding and Serving High-Risk and Handicapped Infants," University Park Press.

Competency Based Teacher Education; An Analysis From the Conflict Perspective of The Mandate in New York State. Published by the U. S. Department of Education.

Issues in Developing Model Programs in Early Childhood Programs. Technical Assistance Development Center, University of North Carolina.

Implications for Implementing P. L. 94-142: View From Washington. Published by the Division of Mental Retardation, Council For Exceptional Children in Education and Training of The Mentally Retarded.

Additional writing includes twenty- six expert reports for federal and state courts as well as in excess of fifty guides, manuals, and papers providing guidance and standards for states and local school districts. These reports, guides and manuals, and selected presentations and papers are listed in the latter sections of this C. V.

**Additional Teaching:  
(Adjunct Appointments)**

University of Maryland: Taught course for two years in Public Policy Analysis and Development in the Graduate School of Education.

The American University: Taught graduate course for two semesters in Program Evaluation and Monitoring.

Marrymont College: Taught graduate course for two semesters in Program Evaluation.

**Contributed Advocacy and Community Services**

- Assistance to families and service agencies support of efforts to secure appropriate services for their children in:

- Ohio;
  - New York;
  - Virginia;
  - Washington;
  - Washington, D. C.;
  - Pennsylvania; and
  - California
- 
- Member and participant of the National Association of Protection and Advocacy Services coalition to support and advocate for changes to the monitoring and enforcement procedures used by the U. S. Department of Education.
  - Member of the Advisory Board of the National Early Childhood Technical Assistance System 1990 - 1995.

### **Professional Experience and Expertise**

President, Education Policy Solutions Ltd.  
147 Marcum Lane  
Harpers Ferry, West Virginia 25425  
Phone: 304) 728-6369 e-mail drostetter@msn.com  
(Fax: (304) 728-6337

**Responsibilities:** Education Policy Solutions, Ltd. provides expert support to families, schools, state agencies, federal agencies, and public interest organizations. Assistance has been provided during, and in support of, litigation to Courts and parties concerning appropriate methods of administration, least restrictive environment, procedural protections, and standards of acceptable practice. This expert assistance has included the following activities.

**Consultant to the Los Angeles Unified School District:** Assistance in the development of a district-wide system to establish accountability and management structures that establish and maintain substantial compliance with relevant state and federal requirements.

**Core Team fir the Independent Monitor:** Member of a team of experts providing assistance and support to the Office of the Independent Monitor for the implementation of the Consent Decree in *Chandra S. v. Los Angeles Public Schools*.

**Consultant:** Assistance to the Pasco County Schools concerning services for low incidence populations in integrated settings. Services include observations of programs, development of quality indicators for low incidence programs and the design and implementation of integrated settings.

**Consultant:** Assistance to the California Charter School Association in the development of a school based system of quality indicators for the effective management of special education and the development of outcome based methods of administration.

**Consultant:** Assistance to the Santa Rosa Schools concerning the development of procedures for placement and procedural safeguards.

**Consultant:** Assistance to the Ravenswood City School District in its efforts to comply with federal and state laws and Court Orders relative to Emma C. v. the Ravenswood City School District and the California Department of Education. Assistance includes the development of new policies and procedures, staff development, assessing student programs and evaluating overall district performance with respect to the education of students with disabilities.

**Consultant:** Assistance to the Fayette County Public Schools, Fayetteville, Georgia, in the design and implementation of a comprehensive preschool program for students with developmental needs and for non-disabled preschoolers.

**Consultant:** Assistance to the Gwinnett County Public Schools, Lawrenceville, Georgia, in the development of integrated transition services for a student with multiple disabilities who is in need of inclusive transition programming upon entering high school.

**Consultant:** Assistance to the California Department of Education in the design and implementation of a new monitoring system using focused monitoring approaches.

**Monitor:** Selected by the parties to monitor implementation of a Settlement Agreement in the federal case of D. J. v. Arizona Department of Education concerning Arizona efforts to implement an effective complaint management system. Expert report filed supporting the plaintiff's claim that the class did not have available proper methods of administration to investigate and resolve complaints.

**Evaluator/Consultant:** Hired by the School Board of Palm Beach County to conduct an evaluation of the alternative education program and services to students with disabilities in that program. The evaluation resulted in a report to the School Board regarding problems in the management in the program and provision of services there. Report ultimately resulted in dismissal of the Superintendent, Assistant Superintendent and Director of Alternative Education.

**Evaluator/Consultant:** Hired to assess the fiscal impact and effectiveness of four institutions operated by the Indiana Department of Health in order to make recommendations regarding cost savings and organizational changes which might improve the cost effectiveness of the State School for the Deaf, State School for the Blind, the Soldiers' and Sailors' Home for Children and the Silvercrest Developmental Center.

**Rule 706 Expert:** Appointed to advise the Court in the matter of Cory H. v. the Chicago Public Schools and the Illinois State Board of Education. This case focuses on educating students with disabilities in the least restrictive environment and the role the State must play in assuring it complies with IDEA's placement requirements.

**Special Master:** Federally appointed Special Master in the case of Duane B. v. Chester Upland School District and the Pennsylvania Department of Education. Responsibilities include oversight and enforcement of Stipulations and Orders as well as direct assistance to the School District in complying with state and federal legal requirements in the education of students with disabilities.

**Consultant:** Assistance to the Commonwealth of Pennsylvania with the implementation of the necessary initiatives and structural changes to implement a federal court order which requires the interagency provision of services to students with disabilities in need of services from many different community-based agencies.

**Consultant:** Assistance to the State of Ohio and the Ohio Association of Elementary and Secondary School Principals in the development and implementation of project APEX. Project APEX provides training to approximately 1500 principals on the history and implementation of legal and appropriate inclusive practices.

**Evaluator:** Hired by Beaufort, South Carolina Public Schools to assess the effectiveness of special education services and the management of the provision of such services.

**Consultant:** Assistance to the State of Alabama in the development of a Remedy Plan and School Reform Initiative. This included participation in the development of all aspects of a Comprehensive Plan to improve the Alabama public school system, with an emphasis on school equity and quality education.

**Chairman:** Chairman of the Implementation Team for the Boston Public Schools and the Massachusetts Advocacy Center to plan, change and improve special education services to students with disabilities in Boston, Massachusetts.

**Consultant:** Assistance to the U. S. Department of Health and Human Services (HHS) serving as National Coordinator of HHS implementation of the "Goals 2000: Education America Act." Responsible for coordination and facilitation of the National Council of Chairs for Goal One including: Secretary of HHS, Louis Sullivan; Secretary of Education, Lamar Alexander; President of Honeywell Corp., James Renier; President of the Carnegie Foundation, David Hamburg; and Governor of the State of Washington, J. Booth Gardner.

**Consultant:** Assistance to the Clark County School District in Las Vegas, Nevada. Three-year consultation to assist in the revision of all procedures for special education and the development of a fully integrated service delivery system. Assistance was provided with respect to all areas of administration, procedural safeguards, inclusion and program development.

**Consultant** to State Education Agencies (SEAs), Local Education Agencies (LEAs), professional organizations, parents, federally funded Regional Resource Centers, and the U. S. Departments of Justice, Health and Human Services and Education on matters relating to the full implementation of special education laws, regulations and programs. Specific services include:

- Chairman of the U. S. Department of Education Task Force on Monitoring appointed December 1989 to develop Monitoring Standards for Federal Monitoring and Enforcement Standards for IDEA-B;
- Technical Assistance on the implementation of the Least Restrictive Environment requirements of IDEA-B and Section 504 of the Rehabilitation Act with the provision of training and development of State and Local policies and procedures and State Plans to:
  - Los Angeles Unified School District
  - Pasco County Public Schools
  - Clark County Public Schools, Las Vegas, Nevada
  - The Texas Education Agency
  - Gwinnett County Public Schools
  - Fayette County Public Schools
  - Ravenswood City School District
  - California Department of Education
  - Indiana Department of Health
  - State of Ohio
  - Tennessee SEA and LEAs
  - West Virginia SEA and LEAs
  - Minnesota SEA and LEAS
  - The Indiana SEA
  - The Maine SEA
  - The Republic of Guam
  - The Territory of American Samoa
  - The Republic of Palau
  - The Commonwealth of the Northern Marianas
  - The State of Alaska
  - The Commonwealth of Pennsylvania
  - State of Oregon
  - State of Virginia
  - State of Delaware



- State of Illinois
  - State of New Mexico
  - State of Arizona
  - State of Alabama
  - State of Louisiana
  - Washington D. C. Public Schools
  - Boston Public Schools
- Technical Assistance in the areas of full implementation of IDEA-B, including the design of monitoring and enforcement procedures, the development of laws and regulations, the administration of special education programs and expert assistance in due process proceedings to:
- The National Association of State Directors of Special Education (NASDSE);
  - The Chicago City Public Schools;
  - The Mineral County School District, Keyser, West Virginia;
  - The Ninth, Tenth, Eleventh and Twelfth Annual Institutes on Legal Problems in Educating Children with Disabilities;
  - SEAs and LEAs in Tennessee, West Virginia, Minnesota, Delaware, American Samoa, Guam, the Northern Marianas, Idaho, Maine, Illinois, New Jersey, New Mexico, South Carolina, Georgia, Florida, North Dakota and Oregon;
  - The U. S. Department of Justice;
  - The U. S. Department of Education;
  - Virginia Organization of Parents for Compliance.
  - The University of Southern Maine, the Western Regional Resource Center at the University of Oregon, the Northeast Regional Resource Center at Tufts University, the Great Lakes Regional Resource Center at the Ohio State University, and Indiana University.
  - Consultant to the University of Kentucky, Mid-South Regional Resource Center serving the States of Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Delaware, West Virginia, and the District of Columbia in the areas of policy development and monitoring of special education.
- Consultant to the National Early Childhood Technical Assistance System on issues related to monitoring, LRE, and policy pertaining to the implementation of Section 619 of IDEA.



Service as an expert witness in cases involving the implementation of state and federal requirements for the provision of appropriate educational services and have served on behalf of students with disabilities and on behalf of school agencies. Sample cases include:

- M. L. v. Lower Marion School District: Expert report concerning the placement and availability of FAP to an adolescent with autism.
- H. P. v. Florida School for the Deaf and Blind: Expert retained to assess continuing eligibility of an adolescent student with a hearing impairment and behavioral problems.
- S. L. v. New Mexico School for the Deaf: Expert retained to assess continuing eligibility of an adolescent student with multiple disabilities.
- W. A. v. Florida State School for the Deaf and Blind (FSDB): Expert testimony concerning eligibility standards and free appropriate public education at FSDB.
- BKG v. Lower Merion School District: Expert report provided concerning appropriate services to an elementary school child with Asperger's Syndrome and generalized anxiety disorder.
- M. P. v. Florida Department of Corrections et al.: Expert report and testimony provided concerning the general supervision responsibility of the Florida Department of Education over other state agencies providing education to students with disabilities.
- B. W. v. Henry County Public Schools: Expert witness concerning the appropriate placement of a student and the need for residential or community based services.
- E. C. v. Philadelphia City Schools: . Expert report and assistance in a matter concerning the adequacy of transition services and the appropriateness of the educational placement for a high school student with cognitive delays.
- S. P. v. Websyrt. Public Schools: Expert support and testimony concerning appropriate services and educational placement for a student with specific learning disabilities.

- *R. B. v. Florida State School for the deaf and Blind*: Testimony concerning the role of the State School in fulfilling its obligations under IDEA and the Florida State Plan as it relates to students with multiple disabilities. ;
- *A. L. v. Los Alamedas Schools*: Assistance provided concerning decision-making for placement of a student with autism in the least restrictive environment.
- *S. K. v. Las Virgenes School District*: Testimony concerning the placement of a student with autism in the least restrictive environment.
- *A. H. v. Magnolia School School District*: Testimony concerning a preschool student with autism and the appropriateness of services made available by the district.
- *C. E. v. Springfield School District*: Expert assistance and report concerning the obligations and responsibilities of the school district to make a safe and appropriate means of transporting young student with Asperger's Disorder to and from her private school placement.
- *A. D. v. Okaloosa County Schools*: Expert assistance and testimony concerning the procedures and activities of the school district during the conduct of external and internal student evaluations.
- *A. W. v. Shoreline School District*: Consultation and assistance in support of efforts to secure an appropriate program and placement for a young student with emotional and hearing disabilities.
- *W. C. v. Cobb County Schools*: Expert: Assistance and reports in a matter involving the availability of appropriate services to a young student with Asperger's Disorder and the eligibility and placement of the student.
- *Fayette County Schools v. D. T.*: Expert testimony concerning the appropriate evaluation and placement of a student with autism and behavioral difficulties
- *K. G. v. School Board of Sabta Rosa County*: Cases involves a student with specific learning disability and the extent to which the District made available FAPE prior to the parent decision to seek reimbursement for a private services placement.

- Thomasville NAACP v. Thomasville City Schools: Conducted an analysis of the relationship between race and special education eligibility and placement. The analysis and testimony is being provided at the request of the Lawyers' Committee for Civil Rights.
- T. M. v. Brevard County Schools: Student injured in a car accident while waiting for a school bus. Issues raised relate to need for specialized transportation.
- J. R. v. Hernando County School Board: Provision of appropriate services to a student with multiple disabilities in the least restrictive environment.
- Ochocki v. Loudon County Public Schools: Student with severe language impairment. The District established a new language based classroom as a result of mediation in the case.
- Z. D. v. Hamilton County Department of Education: Review of school district services and decisions concerning programming for Z. D., a student with autism.
- Michigan Protection and Advocacy Services: Expert services provided to determine the extent to which the Michigan Department of Education uses proper methods of administration in its investigation and resolution of complaints.
- Emma C. v. Eastin: Provided testimony on behalf of plaintiff class seeking school district be held in contempt for failure to comply with the IDEA.
- Andrew G. v. Dade County Public Schools: Expert witness concerning appropriate programming and services to a middle school student with behavioral problems and a learning disability.
- S. C. v. Bethlehem City School District: Assistance in determining whether the student has been appropriately served since enrollment in school and whether the school district developed and implemented an appropriate program.
- Solomon C. v. Chester Upland School District: Witness concerning a student and alleged physical harm and failure to make available appropriate services.

- Rule 706 Expert: Appointed to advise the Court in the matter of Cory H. v. the Chicago Public Schools and the Illinois State Board of Education. This case focuses on educating students with disabilities in the least restrictive environment and the role the State must play in assuring it complies with IDEA's placement requirements.
- K. N. v. Gwinnette County Schools: Assistance in determining the need for residential placement for an elementary school student.
- R. M. v. Gwinnette County Public Schools: Assistance to the school district to design an inclusive program for the student and testimony in support of those proposals.
- Joshua B. v. Fayette County School System: Witness concerning provision of services in the LRE to preschool student.
- Mattie T. v. Mississippi Department of Education: Expert for the Southern Disability Law Center on issues related to child identification and least restrictive environment on this statewide case, which led to a Consent Decree.
- L. K. v. Knox County Public Schools: Expert concerning the provision of appropriate services to a student in a regular public school when the parent has made claims for reimbursement for payment of tuition in a residential facility.
- M. S. v. Chester Upland School District: Case concerning services to youngster with mental retardation and the school district and State's alleged cover-up of a sexual assault against the student.
- A. S. v. Collier County School Board: Case concerning the availability of a free appropriate public education to a learning disabled student who had completed all high school requirements for graduation.
- O. F. v. Chester Upland School District: Witness concerning a student who alleged emotional harm and failure to make available appropriate services.
- M. H. v. Highland County School Board: Expert witness concerning the eligibility determination for the student and the incidence and prevalence of such students in the special education population.

- *S. Z. v. Broward County School Board*: Witness concerning a student and access to the general education curriculum and the regular education environment. Issues include the extent to which a school district must adapt its teaching methods and academic content to appropriately include a student in regular education.
- *D. J. v. Arizona Department of Education*: Expert concerning Arizona efforts to implement an effective complaint management system. Expert report filed supporting the plaintiff's claim that the class did not have available to it proper methods of administration to investigate and resolve complaints.
- *L. F. v. Atlanta Public Schools*: Analysis of school district decisions concerning programming and need for residential services.
- *E. M. v. Atlanta City Schools*: Review of least restrictive environment concerns for a student with a hearing impairment.
- *Blackman v. D.C. Public Schools*: Case against school district concerning access to due process hearings and implementation of hearing officer orders.
- *K. C. v. Collier County School Board*: Testimony on behalf of the School Board regarding the provision of FAPE to an adolescent middle school student with behavioral and physical disabilities.
- *C. H. B. v. Hendry County School Board*: Analysis and testimony concerning the appropriateness of the decisions made by Hendry County school staff to serve the student.
- *Whitehead v. Florida Department of Education*: Expert for the State Department of Education for the State of Florida concerning its use of proper methods of administration to ensure compliance with IDEA and Section 504.
- *S. B. v. D.C. Public Schools*: Case against school district concerning provision of FAPE to a student with specific learning disabilities.
- *Angel G. v. Texas Education Agency*: Expert for students residing in residential care facilities in an effort to compel the Texas Education Agency to ensure appropriate services to such students and to develop an effective monitoring system.

- *P. R. v. School Board of Pasco County*: Expert on behalf of Pasco County School System concerning its efforts to make available a free appropriate public education to a learning disabled student in the LRE.
- *N. L. v. Knox County School Board*: Expert for Knox County concerning educational rights under Section 504 for a student with disabilities.
- *D. G. v. Florida School for the Deaf and Blind*: Assistance and testimony concerning the School's procedures to admit students and the student's placement in the least restrictive environment.
- *Stephen J. Blackwelder v. Florida School for the Deaf and Blind*: Case regarding the placement and services afforded by FSDB and the extent of its obligation to make FAPE available to a deaf/blind student.
- *Barnett v. Douglas County School Board*: Case regarding whether discrimination occurred against disabled student solely on the basis of disability.
- *Jared S. v. Chambersburg Public Schools*: Case regarding appropriateness of removal of a student and placement in a private facility for behaviorally disabled student by a Court, without educational considerations and information.
- *Adam B. v. State of Delaware*: Least restrictive environment case involving application of methods of administration in the placement and service of youngsters with mental retardation.
- *Coalition to Save Our Children v. Wilmington Public Schools*: Conducted an analysis of the relationship between race and special education eligibility and placement. The analysis and testimony is being provided at the request of the Lawyers' Committee for Civil Rights.
- *Justin T. v. Wytheville County Schools*: Expert witness for the school district concerning a seriously emotionally disturbed child and the extent to which the child could participate in the regular education classroom
- *Duane B. v Chester Upland School District*: Court appointed expert and chair of an Evaluation Team to assist the parties in the development of strategies and activities to ensure compliance and improve the delivery of educational services to all students with disabilities.

- C.A.R.C. v. Tirozzi: Expert witness for the Connecticut Association of Retarded Citizens in a case against the State regarding the failure of the State to assure provision of special education in the least restrictive environment.
- Updike. v. Montgomery County Maryland Public Schools: Witness on behalf of the student's claim to a fully integrated placement in her neighborhood school.
- Cordero v. Commonwealth of Pennsylvania: Primary Consultant appointed by the Court to assist in assuring compliance with the consent agreement and planning for comprehensive services for the class covered by the claim.
- Missouri P&A v. St. Louis Special School District: Expert witness for the P&A in an effort to end the practice of having all local public school districts' refusal to take no responsibility for educating children and youth without disabilities in St. Louis County.
- Alabama Coalition for Equity v. Guy Hunt: Expert regarding the effect of methods of administration upon the availability of free appropriate public education.
- Vaughn G. v. Amprey: Appointed by the District Court of Maryland to review policies and practices implemented by Baltimore Public Schools and make recommendations regarding school efforts and issues related to compliance standards contained in an existing Consent Agreement.
- Jeremy H. v. Mount Lebanon School District: Due process hearing regarding FAPE for a student with low vision and a learning disability.
- Todd D. v. Andrews: Case against State Department of Education for failure to provide system for serving seriously emotionally disturbed students in their home states.
- Allen v. MacDonough: Served as expert for the Monitor in a State Court of Massachusetts case and provided a report regarding Boston Public Schools' compliance and management in conjunction with Arthur D. Little, Inc.



- DeKalb County Public Schools v. Cavazos: Case contending that the Office for Civil Rights inappropriately administers Section 504 of the Rehabilitation Act and over-extends its authority in its enforcement of the Act.
- Santoro v. Kettle Moraine School District: Expert for the District contending that the student's placement should be in a regular school rather than a separate school.
- Barnett v. Fairfax County Public Schools. Federal District Court case concerning education in the least restrictive environment.
- Massachusetts Law Center v. State of Vermont. Federal District case involving general supervision of programs in public agencies.
- Defries v. Fairfax County Public Schools. Federal Circuit Court case concerning the provision of appropriate education to an autistic youngster
- Goodrich v. Twin Falls Public Schools. Federal District case concerning provision of appropriate services to an adolescent youngster suspected of being learning disabled.
- U. S. v. State of Oregon. Assistance and expert report provided to the U. S. Department of Justice concerning the services and educational entitlements for students in a residential facility (Fairview Training Center).

### **Additional Professional Employment/Experience**

August 1, 1986 - September 1, 2005

**Educational Consultant** with M.H. Gerry and Co. M.H. Gerry and Co. provided consulting and support services to SEAs, LEAs and federal agencies in the development of policies and procedures which respond to issues that arise at the local level and compliance with relevant federal requirements.

Also provided services to SEAs and LEAs in collaboration with M.H. Gerry and Co. in the areas of special education in corrections facilities, meeting Federal requirements for proper methods of administration, seeking and accessing Federal funding services, and developing and implementing non-categorical diagnostic and placement procedures for children and youth with disabilities.

Experience with M. H. Gerry included:

- development of twenty Technical Assistance Guides in State Plan areas;
- training of Regional Resource Center staff at the Universities of Kentucky, Oregon, Utah State, Ohio State and South Florida in the development of measurable operational policy.
- training of thirty-six SEAs in the development of measurable operational policy;
- development of State regulations and comprehensive methods of administration;
- consultations to fifteen SEAs on the development of State Plans;
- consultations to thirteen SEAs on the development of LRE policy;
- training of Due Process Hearing Officers;
- expert consultant for education in Jerry M. et al v. The District of Columbia, C. A. No. 1519-85.

June 1, 1976 - August 1, 1986

**United States Department of Education**

**Chairman:** Monitoring Development Work Group, U.S. Department of Education. Responsible for developing and implementing a plan for revising federal monitoring of the Individuals With Disabilities Education Act, Part-B (IDEA-B) and the Education Department General Administrative Regulations (EDGAR).

**Director:** Division of Assistance to States. Responsible for the Administration of IDEA-B and relevant EDGAR requirements through review of State Plans, awarding of funds, monitoring and the provision of technical assistance to states.

**Special Assistant** to Madeleine Will, Assistant Secretary, Office of Special Education and Rehabilitative Services (OSERS). Responsible for preparation of congressional testimony, liaison with OSERS organizational units and external affairs.

**Branch Chief:** Program Review Branch, Division of Assistance to States. Responsible for monitoring State administration of IDEA-B.

- Supervised the development of all monitoring and enforcement standards for five years;

- Directly conducted the review of 23 SEAs for compliance with Federal requirements;
- Supervised the development of 119 Federal reports to SEAs regarding enforcement of IDEA-B requirements;
- Conducted on site reviews of 200 local school districts and State Institutions;

**Coordinator for Equal Educational Opportunity.** Responsible for coordination of IDEA-B policy, monitoring, technical assistance and State Plan review with the Office for Civil Rights (OCR).

**Project Officer,** Handicapped Children's Early Education Program and Programs for the Severely Handicapped. Directed all technical assistance activities for Federal Technical Assistance in the areas of Early Childhood, Learning Disabilities and Services to the Severely Handicapped including contracts with the University of Oregon, University of North Carolina, University of Kansas, University of Minnesota, the University of Washington and the Network of Innovative Schools.

1971-1973

Psychiatric Social Worker, Gowanda State Hospital. Helmuth, New York.

#### **AWARDS**

UCEA National Level Internship Program participant, 1975.

Council for Exceptional Children Award for "**Significant Advocacy Contributions in Public Policy**" at the national, state and local levels.

#### **ARTICLES, PUBLICATIONS, PRESENTATIONS**

**2006** – "NCLB and IDEA: Public Policy Demands and Foolish Expectations". Paper presented at the Commonwealth Education Law Conference in Charlottesville Virginia, March 2006.

**2006** – "Structure and Practice". An analysis of Challenges facing public education given the public policy demands of No Child Left Behind and the Individuals with Disabilities Education act. Paper presented at the Hawaii International Conference on Education, January 2006.

- 2005 - "Consent Decrees: Unfulfilled Expectations". Paper presented at the New York state Annual Council for Exceptional Children Conference, October 2006
- 2004 - Paper presented and Panel Member at the National Hearing Officer Association Conference, Baltimore, Md.
- 2003 - Paper presented at the Annual ELA Conference, Savannah, Georgia, November, 2003. Paper titled **"Class Actions in Special Education: Short-Term Implications and Long-Term Outcomes"**.
- 2003 - Presentation at the LRP National Conference, San Francisco, California, May, 2003. Early Childhood issues and solutions. Lead presenter was Kathleen Sullivan, Esq.
- 2002 - Presentations at the California CEC Conference concerning procedural safeguards. (Annual Conference, November 2002, Monterey, California).
- 2001 - Presentations at the California CEC Conference concerning monitoring and LRE. (Annual Conference, November 2001, San Diego).
- 2001 - Evaluation Report concerning the California Department of Education Focused Monitoring System.
- 1990-2005 - Expert Reports and Evaluation Studies in eleven federal court cases on issues of LRE, monitoring, compliance, fiscal accountability and management and availability of a free appropriate public education.
- 2000 - Section 504 Update. Presentation at the Annual Section 504 Conferences in Austin Texas.
- 1995 - Action Plan for the Resolution of Non Compliance: Commonwealth of Pennsylvania Plan to serve class members and others in the Cordero v. Commonwealth of Pennsylvania case.
- 1994 - Rostetter, D., Inclusive Schools, Faculty of the Northwest Institute on Law and the Disabled. Portland, Oregon.
- 1994 - Rostetter, D., Legal Issues and Inclusion, presented at the Texas Education Agency Conference on Inclusion.
- 1994 - Gamm, Hehir and Rostetter, Monitoring and Implementation of Special Education: Paper and Panel presented at LRP's Fifteenth Annual Institute on Law Education of Individuals with Disabilities.

- 1993 - Rostetter, D., Inclusion and Young Children. Published in the "Early Childhood Reporter", LRP Publications, January 1994.
- 1993 - "Full Inclusion and Implementation: Issues and Answers," presented at the Ohio Annual Meeting of Local Directors of Special Education.
- 1993 - Faculty: "Full Inclusion," LRP's Fourteenth Annual Institute on Education of The Handicapped.
- 1992 - Co Chairman of Full Inclusion Institutes held in San Francisco and Washington, D. C. with LRP Publications.
- 1992 - Convened a seminar on school improvement for the Boston Public Schools and School of Education faculty on a comprehensive plan for improving education in Boston.
- 1992 - Rostetter, D., Flexibility and Accountability, NASDSE, Alexandria, Va.
- 1991 - Faculty: EHLR Twelfth Annual Institute on Education of the Handicapped, presentations regarding "Full Inclusion" and "OSEP Monitoring".
- 1991 - Faculty: EHLR Foundations In Special Education Law, Chicago, Philadelphia and San Francisco, presentations regarding "Free Appropriate Public Education".
- 1990 - Faculty: EHLR Eleventh Annual Institute on Education of The Handicapped, Orlando, Florida, presentation regarding "Least Restrictive Environment".
- 1990 - Faculty: EDLAW, at the First and Second Great Plains, Utah, California, Florida and Tennessee Institutes on Special Education Law.
- 1990 - "When Are We Going to Get Serious About Special Education", Keynote address at the Ninth Annual Northwest Institute on Special Education and the Law.
- 1988 - Faculty: EHLR Ninth Annual Institute on Education of The Handicapped.
- 1988 - Nine Technical Assistance Guides for the Implementation of State and Federal Requirements in West Virginia. Published by the West Virginia Department of Education.
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Right to a free appropriate public education  
Identification, location and evaluation of handicapped children  
Confidentiality of personally identifiable information  
IEP development, implementation, review and revision  
Placement of handicapped children in least restrictive educational environment  
Protection in evaluation procedures  
Use of funds available under other federal programs  
Provision of services to students enrolled in private schools  
Recovery of funds for misclassified children  
Conduct of hearings on local applications  
Annual evaluation of programs  
Proper expenditure of Part B funds  
Consolidation application  
Ages at which free appropriate public education must be provided  
Conduct of "due process" hearing  
Selection of surrogate parents  
Children's rights of privacy  
Enforcement of SEA policies and procedures

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